

REMARKS

The Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-21 are pending, none of which are amended. Claims 1 and 12 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the remarks set forth herein.

Drawings

The Examiner has not indicated whether or not the drawings have been accepted. Clarification is requested in the next official communication.

Rejections Under 35 U.S.C. 103(a)

Claims 1, 2, 6, 8-13, 15 and 18-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Henderson et al. (U.S. 7,151,448) in view of Ichige et al. (U.S. 2003/0002861); and

claims 3-5 7, 14, and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Henderson et al. and Ichige et al., and further in view of LeClerc et al. (U.S. 6,983,662).

These rejections are respectfully traversed.

Arguments Regarding Independent Claims 1 and 12

On page 2 of the Office Action, in the 2nd paragraph under the heading "Response to Arguments", the examiner states that

"...paragraph [0070] of Ichige show the detailed operation and also discloses that the apparatus is also as a stationary type as well",

and that

"...with the battery power supply can be portable"

and that

"Ishi [sic] finally teaches in paragraph [0082] that time is calculated from a power quantity supplied from the battery and the time is compared to a predetermined time".

In summary, the Examiner is referring to the following disclosures in Ichige:

- an apparatus that can be stationary or portable; and
- a comparison of one time period (during which power can be supplied) with another, predetermined time period.

There is nothing whatsoever about such disclosures that has anything to do with a controller configured to isochronally provide power from a battery to a processor and digital imaging device, as claimed in the present application. Therefore, such disclosures are irrelevant.

In the last paragraph on page 2 of the Office Action, the Examiner states that "these teachings as shown from paragraphs [0078-0084] clearly suggest isochronous operation of the power supply".

The relevant meanings of the word "Isochronal" are: "Uniform in time; of equal time; performed in equal times; recurring at regular intervals" (Websters Revised Unabridged Dictionary, 1988, as presented on www.dictionary.com). In the context of the claims of the specification, the term implies an orderly, sequential progression (as is the case with a clock) of the provision of power from the battery to the processor and digital imaging device.

By contrast, the Examiner appears, incorrectly, to interpret the word as simply meaning a comparison of two quantities. This is illustrated, for example, by the examiner's reference to paragraph [0082] of Ichige. The Examiner asserts that this paragraph discloses that time is calculated from a power quantity supplied from the battery and that the time is compared to a predetermined time.

Firstly, the mere disclosure of a comparison of one time quantity with another predetermined time quantity does not imply that the two time quantities are equal. Indeed, in the context of Ichige, the relevant question is whether the one time quantity is less than or at least as great as the predetermined time.

Secondly, and even more importantly, the relevant paragraphs of Ichige disclose a comparison of the one time quantity with the other time quantity to determine whether "finalisation" of a recording medium, such as a DVD, is to occur or not. This comparison is for determining if there is sufficient time available for the finalisation to occur; if there is, then it can occur, but if not then it is not allowed to occur, otherwise there will be a finalization failure.

Third, the fact that Ichige discloses the mere comparison of time quantities does not mean that it discloses power being supplied isochronally. Indeed, Ichige does not have anything whatsoever to do with power being supplied isochronally from a battery to one device (processor) and to another, connected device (digital imaging device).

In the first and second paragraphs on page 3 of the Office Action, the Examiner states that the applicant argues that "the paragraph does not disclose controlling of the power quantity supplied to the recorder to determine how long the recorder can operate" and that the Examiner "disagrees since such disclosure is present in paragraphs [0020] and [0083]." This is simply incorrect.

Paragraph [0020] is as follows:

"[0020] In order to achieve the aforementioned object, the information recording apparatus further comprises a battery for supplying power to the information recording apparatus; and operation time estimation means for estimating a time that the information recording apparatus can be operated by the battery; wherein the predetermined time is set within a range of the operable time estimated by the operation time estimation means. Accordingly, the decision results in positive and the finalization is performed. Alternatively, by detecting the power quantity that can be supplied from the battery to the information recording/reproduction apparatus, the finalization is performed when the detected power quantity is equal to or greater than a predetermined power quantity. On the contrary, when the power quantity detected is smaller than the predetermined power quantity, the finalization is not performed" (emphasis added).

This paragraph discloses estimation means for estimating or detecting the amount of time that the battery can power the recording apparatus, and a "predetermined time" against which the estimated time can be compared. As disclosed in this paragraph, if the estimated length of time that the battery can power the recording apparatus is greater than the predetermined time, then the finalization is allowed to occur, whereas, if it is less than the predetermined time, finalization is not performed. While this paragraph discloses an

estimation of the available battery time, it discloses nothing whatsoever about controlling the power supply from the battery. Accordingly the examiner's assertion regarding the contents of this paragraph are plainly erroneous.

Paragraph [0083] is as follows:

[0083] However, instead of calculating time from the power quantity from the battery, it is possible to compare the power quantity supplied from the battery with a predetermined power quantity. If the former is greater than the latter, the finalization is performed. In this case, the power supply required for finalization is assured and there is no danger of finalization failure due to shortage of power from the battery.

This paragraph relates to a comparison, not of the available battery time to a predetermined time (as in paragraph [0020]), but of the available battery power quantity to a predetermined power quantity. Other than this, the same comments made in relation to paragraph [0020] above apply to paragraph [0083].

It is noted that the remaining claim rejections in the Office Action (items 2 to 5) are the same as those raised in the earlier Office Action mailed on June 2, 2008. We understand that the examiner has simply repeated these on the basis that the examiner did not consider the arguments made in response to that earlier Office Action to be persuasive. The *Examiner's* reasoning for finding those previous arguments not to be persuasive has been refuted above and we therefore submit that the application is in order for allowance.

At least for the reasons explained above, the Applicant respectfully submits that the combination of elements as set forth in independent claims 1 and 12 is not disclosed or made

obvious by any combination of the prior art of record, including Henderson et al. et al. and Ichige et al. al.

Therefore, independent claims 1 and 12 are in condition for allowance.

Dependent Claims

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

All pending claims are in condition for allowance.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

Application No. 10/781,826
Reply dated May 19, 2009
Reply to Office Action of December 19, 2008

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Art unit: 2621
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CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

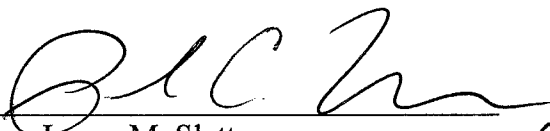
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030 (direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Dated: May 19, 2009

Respectfully submitted,

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